**Expert Workshop on
Good practices of United Nations-system support to States in preventing and fighting against corruption, with a focus on human rights**

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Thank you Mr. Chair!

Excellencies, distinguished delegates, fellow panelists, ladies and gentlemen;

I would like to extend my gratitude to OHCHR for organizing this expert workshop and providing UNDP with an opportunity to share our experiences and lessons learned, particularly in the area of building synergies between anti-corruption and human rights.

As many of you are well aware, UNDP has been providing its support to both anti-corruption and human rights institutions, mechanisms and processes in more than 100 countries around the world.

Drawing up on our experiences on the ground, I would like to focus on three issues in my brief remarks this morning:

First, commonalities and differences between the human rights and anti-corruption approaches;

Secondly, a few key lessons learned by the anti-corruption community from the human rights community in the last decade;

Third, some recommendations to strengthen synergies between human rights and anti-corruption mechanisms.

Regarding commonalities between preventing corruption and protecting human rights, let me highlight four key areas:

First, we have well documented data and evidence that the poor, marginalized, and vulnerable populations are usually the victims of both human rights violations and anti-corruption. Corruption either diverts resources away from public essential services or prevents the vulnerable and marginalized population from accessing public services. Those who can afford to pay bribes tend to monopolize essential public services.

Second, both principles of anti-corruption and human rights emanate from the principles of good governance such as participation, inclusion, transparency, accountability, integrity and the rule of law. If we strengthen these governance principles, we can prevent corruption as well as protect human rights.

Third, both corrupt practices and human rights violations tend to occur in a political and economy environment where there is high impunity, injustice, unfairness and exclusion. There are some ongoing discussions regarding whether an International Anti-corruption Court – similar to the International Criminal Court – could be established.

Fourth, both anti-corruption and human rights areas are facing the challenges of turning formal commitments into practice. We do have global norms and standards, as well as national laws and legislations aimed at protecting human rights and preventing corruption, but there is a huge implementation gap in many countries.

Now, regarding differences in approaches, the anti-corruption community has a similar approach to the human rights community to prevent corruption, but when we talk about criminalization and law enforcement, we see two different approaches.

In the human rights area, the main approach has been “the presumption of innocence”, that is, the burden of proof is on the one who declares, not on the one who denies. The burden of proof is thus on the prosecution, which has to collect and present enough compelling evidence. A defendant is thus innocent until proven guilty.

On the other hand, in many anti-corruption laws, when illegal enrichment is involved, the burden of proof is not on the prosecutors but on the defendants to prove the source of income. In some extreme cases, we have seen that innocent kids can become the victims of corruption investigations. The children of defendants are forced to drop out of private schools, when the property of those being charged on corruption cases is seized.

Now, on the lessons learned, the anti-corruption movement is relatively younger than the human rights movement. We are celebrating the 15th anniversary of the adoption of the **United Nations Conventions Against Corruption (UNCAC)** this year, while the human rights movement brings more than 70 years of experiences.

UNDP’s experiences show that human rights have been relatively better integrated in our development work. Almost all development actors are now using the “**Human Rights-Based Approach to Development**”. There are many useful tools and good practices to mainstream human rights into various areas of development.

On anti-corruption, we are not quite there. We still need more knowledge, tools and guidance on how to mainstream anti-corruption into the broader areas of development.

On our part, both UNDP and UNODC, working together with the UN System Staff College, have taken the lead to bring together more than 9 UN agencies to provide a dedicated training to UN Staff on how to use the human rights-based approach to mainstream anti-corruption in various UN programming processes.

The second lesson learned from the human rights work is that we should continue expanding the scope of the **United Nations Convention Against Corruption (UNCAC)**. If we look at the historical trend, most aspects of human rights work, such as advocacy and monitoring, has been due to the work of entities or organizations, which are not part of the UN or formal treaty bodies. The international and national non-governmental organizations have often been the flag-bearer of human rights work. UNDP is closely working with UNODC to strengthen the role of non-governmental organizations in fighting corruption.

Finally, I would like to present the following recommendations to build synergies between anti-corruption and human rights:

First, we need a common approach to address the issue of victims of both corruption and violations of human rights. In this regard, the **“Human Rights-Based Approach to Development”** and **“Empowerment and Social Accountability Approaches”** to prevent corruption could be very helpful. For example, working together with UNODC, TI and other partners, UNDP is currently partnering with the UN System Staff College to finalize a course for all development practitioners on how to integrate anti-corruption in the Sustainable Development Goals (SDGs) by applying the human rights-based approach. Similarly, many UNDP projects at the local level aim to strengthen community engagement and empowerment, to monitor services and demand accountability from the government to deliver essential services.

Secondly, we need a common approach to provide support to strengthen the capacity of both anti-corruption agencies and human rights institutions. According to UNODC’s database, some member states, such as Gambia, Ghana, Republic of Korea, Rwanda, PNG, and the Philippines, have both anti-corruption and human rights protection mandates.

Third, we also need to strengthen cooperation between various inter-governmental efforts including the support for the implementation and review mechanisms of the United Nations Convention Against Corruption (UNCAC) led by UNODC and the human rights mechanisms led by OHCHR.

Fourth, we need a common approach to effectively address the issue of impunity, which is a serious threat to the protection of human rights and the prevention of corruption. In this regard, the **International Commission against Impunity in Guatemala** provides a very good example.

Fifth, we also need a common approach to integrate human rights and anti-corruption in the implementation of the 2030 Agenda for Sustainable Development. Particularly, Goal 16 on peaceful, just and inclusive societies includes specific targets on ensuring rule of law, reducing corruption and bribery, building effective, accountable and transparent institutions, and ensuring public access to information. This ambition relies on strong national human rights and anti-corruption institutions and systems.

UNDP will continue to remain a strong partner to address these issues. I thank you for your attention.